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1-16-02  
SC

1-CV-00-0895

## PLAINTIFF PROPOSED VOIR DIRE QUESTIONS

PLAINTIFF SUBMITS THE FOLLOWING LIST OF  
PROPOSED VOIR DIRE QUESTIONSFILED  
HARRISBURG, PA

JAN 15 2002

MARY E. DIANDREA  
Per [Signature] Deputy Clerk

## BACKGROUND.

- ① How long HAVE you LIVED in THE AREA?
- ② Do you own your own HOME?
- ③ Do you HAVE CHILDREN?
- ④ How MANY? How old?
- ⑤ WHERE ARE you EMPLOYED?  
WHAT is your JOB TITLE?
- ⑥ WHERE ARE THE OTHER MEMBERS OF  
your IMMEDIATE FAMILY EMPLOYED?
- ⑦ To WHAT CLUBS AND SOCIAL ORGANIZATIONS  
Do you BELONG?
- ⑧ WHAT ARE your HOBBIES?
- ⑨ WHAT MAGAZINES do you REGULARLY READ?
- ⑩ How MANY YEARS OF FORMAL EDUCATION  
do you HAVE?
- ⑪ WERE you EVER in THE MILITARY?  
WHAT RANKS did you HOLD?  
WHAT DUTIES did you HAVE?  
WHERE you EVER in THE MILITARY POLICE?
- ⑫ THE following PERSONS MAY be CALLED  
AS WITNESSES in THIS CASE. Do you KNOW  
OR HAVE you EVER HEARD OF ANY OF THESE  
PERSONS? LIST WITNESSES you OR THE  
DEFENDANTS MAY CALL WILLIE BOYD LEON HOPKINS ELMIE BARKINS  
FARREED DAVIS  
DERRICK CLAY EUGENE SIMMS CORT FRAZIER
- ⑬ Do you KNOW ANY OF THE DEFENDANTS  
in THIS CASE?
- ⑭ Do you HAVE ANY OPINIONS CONCERNING  
THE [NAME OF PRISON WHERE THE  
ALLEGATIONS OF THE COMPLAINT AROSE]

(2)

WHAT ARE THEY?

(14) HAVE YOU OR ANY MEMBER OF YOUR FAMILY OR A CLOSE FRIEND EVER BEEN THE VICTIM OF A CRIME?

WHAT WAS THE NATURE OF THE CRIME?

WAS THE PERPETRATOR PUNISHED?

WHAT WAS THE RESULT?

(15) HAVE YOU OR HAS ANY MEMBER OF YOUR FAMILY EVER HELD ANY JOB IN (A) A LAW ENFORCEMENT AGENCY (B) ANY GOVERNMENT AGENCY (C) THE STATE OR LOCAL POLICE (D) THE FBI (E) ANY PROSECUTOR'S OFFICE OR (F) A PRIVATE DETECTIVE OR SECURITY GUARD AGENCY?

(16) DO YOU KNOW ANYONE WHO WAS OR IS EMPLOYED BY OR IN ANY WAY CONNECTED WITH THE [PRISON WHERE THE ALLEGATIONS OF THE COMPLAINT AROSE?

(17) DO YOU KNOW ANYONE WHO WAS OR IS EMPLOYED BY OR IN ANY WAY CONNECTED WITH THE [CORRECTIONS DEPARTMENT THAT OPERATES THE PRISON?

(18) DO YOU KNOW ANYONE, INCLUDING YOUR NEIGHBORS, FRIENDS, CO-WORKERS OR RELATIVES WHO, WORKS OR HAS WORKED IN A JAIL OR PRISON OR AS A PAROLE OR PROBATION OFFICER?

(19) DOES YOUR JOB CAUSE YOU TO WORK WITH ANY LAW ENFORCEMENT OFFICER OR AGENCY?

(20) IN THIS CASE THE DEFENDANTS ARE REPRESENTED BY ATTORNEYS FOR THE ATTORNEY GENERAL'S OFFICE. DO YOU UNDERSTAND THAT THIS TITLE HAS NO PARTICULAR

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SIGNIFICANCE, AND THAT THESE ATTORNEYS ARE MERELY LAWYERS EMPLOYED BY THE GOVERNMENT?

②①. IN THIS CASE YOU MAY HEAR TESTIMONY FROM MEDICAL DOCTORS AND PSYCHIATRISTS. HAVE YOU EVER HAD ANY EXPERIENCE WITH EITHER DOCTORS OR PSYCHIATRISTS WHICH AFFECTED YOU IN SOME WAY SO THAT YOU COULD NOT BE AN IMPARTIAL JUROR IN A CASE INVOLVING SUCH TESTIMONY?

#### ATTITUDES TOWARD PRISON USE OF FORCE

②②. HAVE YOU EVER BEEN INSIDE A JAIL OR PRISON?

②③. IN WHAT CIRCUMSTANCES?

②④. DO YOU THINK PRISONERS ARE TREATED TOO LIGHTLY?

②⑤. DO YOU THINK PRISONER ARE AFFORDED TOO MANY PRIVILEGES?

②⑥. DO YOU THINK A PERSON LOSES ANY RIGHTS WHEN HE OR SHE IS SENT TO PRISON.

②⑦. WHAT IS THE PURPOSE OF PRISON?

②⑧. IF A PRISONER DISOBEYS AN ORDER, SHOULD HE OR SHE PUNISHED, AND IF SO HOW?

②⑨. UNDER WHAT CIRCUMSTANCES IF ANY, DO YOU THINK CORPORAL PUNISHMENT OF A PRISONER IS APPROPRIATE?

③①. UNDER WHAT CIRCUMSTANCES DO YOU THINK IT WOULD BE APPROPRIATE FOR A PRISON OFFICIAL TO HIT A PRISONER OR USE FORCE AGAINST A PRISONER WHEN THE PRISONER IS IN RESTRAINTS AND UNABLE TO RESIST?

③②. DO YOU BELIEVE THAT PRISONERS ARE

(4)

ENTITLED TO HUMANE AND FAIR TREATMENT?

(31) DO YOU BELIEVE THERE ARE CIRCUMSTANCES UNDER WHICH A PRISONER FORFEITS HIS OR HER RIGHT TO HUMANE AND EQUITABLE TREATMENT?

(32) ~~IF SOMEONE~~ IF SOMEONE IS HARMED BY THE ACTIONS OF ANOTHER PERSON UNDER WHAT CIRCUMSTANCES SHOULD HE BRING A LAWSUIT AND BE COMPENSATED FOR THE HARM INFLECTED BY THE PRISON OFFICIAL?

(33) WHAT DO YOU THINK SHOULD BE DONE TO A PRISON OFFICIAL IF IT IS SHOWN THAT HE BEAT A PRISONER WITHOUT PROVOCATION OR SAW OTHERS DOING SO AND DID NOT INTERVENE?

RACE

(34) DO YOU KNOW ANYONE WHO IS BLACK SUCH AS A CO-WORKER, FRIEND, NEIGHBOR

(35) HOW WOULD YOU FEEL IF A BLACK FAMILY MOVED ONTO YOUR STREET?

(36) DO YOU BELONG TO SOCIAL CLUBS OR ORGANIZATIONS THAT BAR MEMBERSHIP TO SOME INDIVIDUALS BASED ON THEIR RACE OR ETHNIC ORIGIN?

NOTE- THE FOREGOING QUESTIONS ASSUME THAT RACIAL PREJUDICE AGAINST BLACK PERSONS MAY AFFECT THE OUTCOME OF THE CASE. IF YOU OR SOMEONE ELSE INVOLVED IN THE CASE AS A PARTY OR WITNESS IS A MEMBER OF ANOTHER ETHNIC GROUP THAT IS OFTEN THE OBJECT OF PREJUDICE, YOU MAY WISH TO SUBSTITUTE THAT

(5)

## CREDIBILITY

(37) Do you know anyone who has been in prison?

(38) What is your relationship with that person?

~~What is your relationship with that person?~~

What was the person imprisoned for?

How long was the sentence?

(38) If a prisoner and a prison official give conflicting testimony about the same incident, which one would you be inclined to believe and why?

(39) If you knew someone had been convicted of a crime would that make you less likely to believe he or she was telling the truth?

(40) Under what circumstances, if any would a prison official be likely to give false testimony?

(41) Do you think that a ~~prison~~ prison guard is more likely to tell the truth than a prisoner?

(42) Under what circumstances do you think people who work together on the same jobs are likely to protect a co worker they suspect of wrongdoing?

(43) If you were in a position to hire someone under what circumstances would you hire a person with a criminal record?

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE

DISTRICT OF PENNSYLVANIA

JUDGE'S COPY

TERRANCE MONTAGUE

V. PLAINTIFF

ROBERT W. MEYERS, ET AL.,

DEFENDANTS

CIVIL NO. 1: CV-00-0895

(MAGISTRATE Judge Smyser)

RECEIVED  
HARRISBURG, PA

JAN 15 2002

MARY E. D'ANDREA, CLERK  
Per *[Signature]*

CERTIFICATE OF

I TERRANCE MONTAGUE HEREBY CERTIFY THAT ON JANUARY 13<sup>TH</sup> 2002 I SERVED  
A TRUE AND CORRECT COPY OF PLAINTIFF PROPOSED VOIR DIRE QUESTIONS TO THE  
FOLLOWING BY PLACING IT IN THE INMATE OUT GOING MAIL BOX.

CLERK'S OFFICE

U. S. DISTRICT COURT

228 WALNUT STREET

P.O. BOX 983

HARRISBURG, PA 17108

DATE: 1-13-02

*Terrance Montague*  
TERRANCE MONTAGUE  
S.C.I. LOCKVIEW  
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BELL FORT, PA 16823-0820